

Applicant : Phillips, et al.  
Serial No. : 09/779,659  
Filed : February 9, 2001  
Page : 6 of 6

Attorney's Docket No.: 10064-002002

**REMARKS**

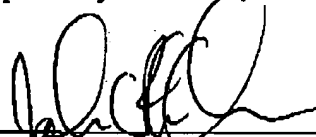
In view of the foregoing amendments and the following remarks, reconsideration and allowance are requested. Claims 42-61 remain pending. Claims 62-64 have been canceled with prejudice or disclaimer.

Claims 42-61 stand rejected under the doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-38 of USP 6,186,553. This rejection has been obviated by the Terminal Disclaimer filed December 10, 2003.

In view of the foregoing, this application is now in condition for allowance, and a Notice to that effect is requested.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,



John C. Phillips  
Reg. No. 35,322

Date: July 21, 2005

PTO Customer No. 20985  
Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (619) 501-5091  
Facsimile: (858) 678-5099

10515289.doc